

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Children and Families Committee

BILL: SB 436

INTRODUCER: Senator Wilson

SUBJECT: The Social Status of Black Men and Boys

DATE: December 14, 2005

REVISED: 01/10/06

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Goltry	Whiddon	CF	<b>Fav/5 amendments</b>
2.		GO	
3.		JA	
4.			
5.			
6.			

## Please see last section for Summary of Amendments

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Technical amendments were recommended

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Amendments were recommended

☐

Significant amendments were recommended

### I. Summary:

This bill creates the Council on the Social Status of Black Men and Boys and provides for the appointment and qualification of members. This bill requires the Attorney General to organize the initial meeting of the council and provide staff and administrative support to the council. The council is directed to make a systematic study of the conditions affecting black men and boys, including the homicide rates, arrest and incarceration rates, poverty, violence, drug abuse, death rates, disparate annual income levels, and health issues.

The council is directed to propose measures to alleviate and correct the underlying causes of the conditions described above. The council is to issue its initial annual report by December 15, 2007, with its findings, conclusions, and recommendations and issue a report by December 15 of each year thereafter.

The bill appropriates \$50,000 from the General Revenue Fund for the council.

The bill creates an undesignated section of law.

## **II. Present Situation:**

For a number of reasons, several groups throughout Florida are concerned about the social status of black men and boys. It has been shown, for example, that black men and boys are disproportionately represented in Florida's correctional facilities. According to the Department of Corrections, on June 30, 2005, there were 84,901 inmates in the Florida prison system. The majority of these inmates were male (79,221 or 93.3 percent) and black (43,306 or 51.0 percent). However, the percentage of black inmates in prison is decreasing (58.0 percent in June 1994 to 51.0 percent in June 2005).<sup>1</sup>

There is also concern about the number of black students dropping out of high school. The Department of Education reports that dropout rates are highest among black and Hispanic students. The dropout rate for blacks fell from 5.5 percent in 1999-2000 to 4.1 percent in 2004-2005. Dropout rates also vary by gender group, with males having a higher parentage of dropouts than females. Although black students made up only 25 percent of the total students enrolled in grades 9-12 in 2004-2005 (899,353), they accounted for 32 percent (9,167) of the students who were counted as dropouts for that year.<sup>2</sup>

According to the 2000 census summary report, the median income for black males 15 and over was \$18,601 compared to \$27,763 for white males. For full-time, year-round workers, the median income was \$22,364 for black males and \$36,198 for white males.<sup>3</sup>

According to the Florida Department of Health (DOH), in 2004, 9,400 black males died in Florida. The age-adjusted death rate for non-whites was 8.6 per 1,000 people in 2004, which was an improvement from 2003 when the rate was 9.1 deaths per 1,000 people. In 2004, nonwhite males born in Florida had a life expectancy of 73 years. Life expectancy has increased since 2000 when it was 71.2 years. However, nonwhite males have the lowest life expectancy. The life expectancy for nonwhite males born in 2004 was 3.9 years less than for white males.<sup>4</sup> The HIV rate for black males was 46.4 per 100,000 in 2004.<sup>5</sup>

## **III. Effect of Proposed Changes:**

This bill establishes the Council on the Social Status of Black Men and Boys to study the conditions affecting black men and boys including homicide rates, arrest and incarceration rates, poverty, violence, drug abuse, death rates, disparate annual income levels, and health issues. This bill specifies that the council must:

- Propose measures to alleviate and correct the underlying causes of the conditions described above;
- Study other topics suggested by the Legislature or as directed by the chairperson of the council;

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<sup>1</sup> Florida Department of Corrections FY 2004-2005 Annual Report (Draft), page 20-21.

<sup>2</sup> Florida Department of Education, 2004-05 Dropout Rate Numerators and Denominators by District and Subgrouping, Unpublished data, December 15, 2005.

<sup>3</sup> U.S. Bureau of the Census, Census 2000 Summary File 4, Tables QT-P33 and PCT 130.

<sup>4</sup> Florida Department of Health, Florida Vital Statistics Annual Report 2004.

<sup>5</sup> Florida Department of Health, Bureau of HIV/AIDS, HIV/AIDS in Florida as of December 31, 2004.

- Receive suggestions or comments pertinent to the applicable issues from members of the Legislature, governmental agencies, public and private organizations, and private citizens;
- Issue its initial annual report by December 15, 2007, and by December 15<sup>th</sup> of each following year, stating the findings, conclusions, and recommendations of the council;
- Include in the initial report the findings of an investigation into factors causing black-on-black crime from the perspective of public health related to mental health, other health issues, cultural disconnection, and cultural identity trauma;
- Meet quarterly with additional meetings to be held at the call of the chairperson or a majority of the council members.

This bill provides that the council be composed of 19 members and specifies the membership of the council. Each member of the council shall be appointed to a four-year term. Members of the council are allowed to receive per diem and travel reimbursement as provided in s. 112.061, F.S. The Office of the Attorney General is directed to provide staff and administrative support to the council. The council shall include:

- Two members of the Senate who are not members of the same political party, appointed by the President of the Senate with the advice of the minority leader of the Senate;
- Two members of the House of Representatives who are not members of the same political party, appointed by the Speaker of the House of Representatives with the advice of the minority leader of the House of Representatives;
- The Secretary of Children and Family Services or his or her designee;
- The Director of the Mental Health Program Office within the Department of Children and Family Services or his or her designee;
- The Secretary of Health or his or her designee;
- The Commissioner of Education or his or her designee;
- The Secretary of Corrections or his or her designee;
- The Attorney General or his or her designee;
- The Secretary of Management Services or his or her designee;
- The Director of Workforce Innovation or his or her designee;
- A business person of African-American origin appointed by the Governor;
- Two persons appointed by the President of the Senate who are not members of the Legislature or employed by state government. One of these appointments must be a clinical physiologist;
- Two persons appointed by the Speaker of the House of Representatives who are not members of the Legislature or employed by state government. One of these appointments must be an Africana studies professional;
- The Deputy Secretary for Medicaid in the Agency for Health Care Administration or his or her designee;
- The Secretary of Juvenile Justice or his or her designee.

The sum of \$50,000 is appropriated from the General Revenue Fund to the council. The bill has an effective date of July 1, 2006.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

The council has four members of the Legislature (two Senators and two House members) serving on the council, which is charged with several duties including proposing measures that may consist of recommended changes to the law. The council should be subject to the provisions of chapter 119, Florida Statutes, relating to open records and chapter 286, Florida Statute, relating to open meetings. In addition, it may be appropriate to have council members, not already required to do so, file financial disclosure statements pursuant to s. 112.3145, F.S.

**C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The bill appropriates the sum of \$50,000 from the General Revenue Fund to the council.

The Attorney General's Office estimates that this bill will cost \$234,750 in recurring funds and non-recurring funds. This estimate includes salary and benefits for three Full Time Employees, Other Personnel Services, expenses, and operating capital outlay.

**VI. Technical Deficiencies:**

On page 3, lines 5 and 6, one of the required appointees of the President of the Senate is referred to as a "clinical physiologist." Physiology is the study of the mechanical, physical, and biochemical functions of living organisms. There is no definition of "physiologist" in the Florida Statutes, nor is the term "clinical physiologist" a commonly recognized professional title in the United States. In the United Kingdom, clinical physiologists are employed in the National Health Service to "measure a patient's physiological function to aid in the diagnosis and monitoring of a range of human diseases. . . Clinical

Physiologists are mainly employed as specialists in either cardiology or audiology, with some in other areas such as neurophysiology and respiratory physiology.”<sup>6</sup>

On page 3, lines 15-19, the bill requires that members of the council be appointed to staggered terms and of the initial appointments, 10 are to be appointed to two-year terms and 11 are to be appointed to four-year terms. This would total 21 members and the council is limited to 19 members.

The bill appropriates \$50,000 from the General Revenue Fund to the Council. If these funds are to be used for reimbursement of Council members for travel and per diem, the funds should be appropriated to the Office of the Attorney General for that purpose.

## **VII. Related Issues:**

None.

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None. This Senate staff analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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<sup>6</sup> University of Ulster @ <http://prospectus.ulster.ac.uk/course/?id=1589>, December 16, 2005.



## VIII. Summary of Amendments:

**Barcode #802980 by Children and Families:**

Makes a technical correction changing the word “physiologist” to “psychologist”.

**Barcode # 305422 by Children and Families:**

Conforms the number of appointments by each appointing authority to be consistent with the total number of members of the council.

**Barcode # 480710 by Children and Families:**

Includes educational performance as one of the components to be studied by the council.

**Barcode # 112796 by Children and Families:**

Requires that the council be subject to the provisions of chapters 119 and 286 relating to open records and open meetings and that members of the council file financial disclosure statements pursuant to s. 112.3145, F.S.

**Barcode # 914600 by Children and Families:**

Appropriates the \$50,000 for travel and per diem for council members to the Office of the Attorney General for that purpose.